

DIRECTOR OF CENTRAL INTELLIGENCE
SECURITY COMMITTEE
COMPARTMENTATION SUBCOMMITTEE

MEMORANDUM FOR: Chairman, DCI Security Committee

18 JAN 1982

SUBJECT: Draft Revision of DCID 1/19 (U)

1. (U) In October 1981, you directed that the Compartmentation Subcommittee prepare a draft revision of the June 1978 edition of DCID 1/19. Using the preliminary draft developed by the SECOM Staff, the Compartmentation Subcommittee established a Working Group to review the matter in detail and produce another draft.

a. (U) The full Subcommittee met on 15 December 1981 and, by Vote Sheet action, concurred with the draft prepared by the Working Group with the exception of a number of relatively minor administrative/grammatical suggested changes. It was agreed by the Subcommittee that these changes, as deemed appropriate, should be incorporated into a final draft without a further meeting.

b. (U) The changes described above have been included in the attached. I recommend that it be approved by the SECOM and sent to the NFIB for consideration.

2. (U) The following is provided as a matter of interest regarding certain portions of the attached draft:

a. (U) Subcommittee members voiced concern at the extant DCI statement on the SCI Nondisclosure Agreement (NdA) prepublication review clause that was included in the preliminary SECOM staff draft of DCID 1/19. The statement basically provides that use of the prepublication review clause is "encouraged" rather than "mandatory." Per discussion at the SECOM 2 December 1981 meeting, paragraph 5 of the attached draft makes use of the prepublication review clause mandatory for the following reasons:

(1) (C) As reflected in NFIB-M-85, 16 June 1981, it is our view that the DCI and NFIB reaffirmed that prepublication review is a precedent established by the legal proceedings against Frank Snepp. The DDCI noted that this precedent had been factored into the development of an NdA; however, the question was whether the Intelligence Community needed and wanted a uniform agreement. The position of the Department of Justice was that it would not prosecute unless there was a contractual obligation for prepublication review.

(2) (U) The DCI-published SCI NdA Questions and Answers Booklet, which reflects the jointly developed policy of the Legal

CLASSIFIED BY: DCID 1/19
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and Intelligence Communities, established a mandatory requirement for prepublication review as an integral part of the NdA. It further advises that only one NdA will ordinarily be signed. If a prepublication review is not a proviso in all NdAs adopted by Intelligence Community members, a multitude of NdAs will be signed by persons who change employment and execute different NdAs. It will be costly and cumbersome for Justice to locate all NdAs prior to any legal proceedings. Other problem areas will also surface.

(3) (U) Accordingly, it is our view that a prepublication review is thus an integral element and the key proviso of the SCI NdA concept as reflected in the June 1981 NFIB-M-85, which has not been explicitly superseded or revised, to our knowledge.

b. (U) As you know, there are sometimes different versions of several Intelligence Community definitions and terms (e.g., SCI, SIO, document, etc). The definitions and terms used in the attached draft are considered to be best for this purpose.

c. (U) Basic SCI document control procedures are, for the most part, the same as in the extant DCID 1/19. The manpower and related costs that would have been required to implement the proposed APEX Control System preclude imposition of those procedures on the current SCI Control Systems.


d. (U) In some areas, the guidance has deliberately been left broad to allow Intelligence Community SIOs to prescribe specific procedures for activities under their cognizance.

e. (U) Except in minor cases, the members favored including the verbatim DCI policy statements (e.g., PROXIMITY, statement on finished intelligence products, etc), rather than rewording them in any significant fashion.

f. (U) The most recent draft replacement of EO 12065 was taken into consideration in including policy on "portion marking" and marking SCI for classification review.

g. (U) Footnotes desired by the NSA and CIA members regarding certain provisions of paragraphs 13 and 29a(1), respectively, are shown on the attached.

3. (U) Background material and other related data is available should it be needed. We appreciate the opportunity to deal with this matter.


 GEORGE S. MERCURIO, Colonel, USAF
 Chairman, Compartmentation Sub-
 Committee
 DCI Security Committee

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 Draft Revision of DCID
 1/19 (C)

Copies to:
 Subcommittee Members

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